

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NORTH CAROLINA**

PHILIPS MEDICAL SYSTEMS
NEDERLAND B.V.; PHILIPS NORTH
AMERICA LLC; and PHILIPS INDIA
LTD.,

Plaintiffs,

v.

TEC HOLDINGS, INC., F/K/A
TRANSTATE EQUIPMENT
COMPANY, INC., TRANSTATE
EQUIPMENT COMPANY, INC.,
F/K/A TRANSTATE HOLDINGS,
INC., and ROBERT A. (“ANDY”)
WHEELER, individually and in his capacity as
executor and personal representative of the
Estate of DANIEL WHEELER,

Defendants.

**Civil Action No.
3:20-cv-00021-MOC-DCK**

JOINT SUBMISSION OF PROPOSED FORMS OF FINAL JUDGMENT

Plaintiffs Philips Medical Systems Nederland B.V., Philips North America LLC, and Philips India Ltd. (collectively, “Plaintiffs” or “Philips”) and Defendants Transtate Equipment Company, Inc. (“Transtate”), TEC Holdings, Inc. (“TEC”), and Robert A. Wheeler, individually and in his capacity as executor and personal representative of the Estate of Daniel Wheeler (“Andy Wheeler”) (collectively, “Defendants,” and together with Philips, the “Parties”) hereby submit the enclosed proposed forms of Final Judgment for the Court’s consideration, and entry following the Court’s ruling on Defendants’ renewed motion for award of pre- and post-judgment interest on their damages award under the North Carolina Unfair and Deceptive Trade Practices Act (ECF Nos. 831, 832).

In light of Defendants’ pending motion, the parties submit two versions of the proposed Final Judgment. Attached as Exhibit A is a proposed Final Judgment that, should the Court deny

Defendants' motion for pre-judgment interest, includes only an award of post-judgment interest.¹ Attached as Exhibit B is a proposed Final Judgment that, should the Court grant Defendants' motion, includes an award of prejudgment and post-judgment interest.

The Parties do not intend to waive and hereby reserve all rights with regard to post-trial motions and appeal.

Respectfully submitted this the 7th day of February, 2024.

¹ Philips does not oppose Defendants' request for an award of post-judgment interest on their NCUDTPA damages award.

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CERTIFICATE OF SERVICE

I hereby certify that on February 7, 2024, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically and electronically notify all counsel of record in this case.

/s/ Gregory D. Vose